

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Eisen, Bruce; Padayao, Roger; Kassis, Wasef; Lucas IV, James E.

Assignee: User Trends

Title: ELECTRONICALLY DISTRIBUTING PROMOTIONAL AND
ADVERTISING MATERIAL BASED UPON CONSUMER INTERNET
USAGE

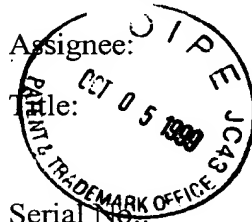
Serial No.: 09/379,167

Filed: August 23, 1999

Examiner:

Group Art Unit:

Docket No.: M-7729 US



#31

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San Jose, California
September 29, 1999

COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D. C. 20231

ATTENTION: Refund Section, Accounting Division,
Office of Finance

REQUEST FOR REFUND

Sir:

Applicant(s) respectfully request(s) a refund in the amount of \$380. which was
erroneously charged to Deposit Account No. 19-2386 on the August Monthly Statement of
Account.

The Applicants authorized the Commissioner of Patents and Trademarks at the time of
filing to charge their deposit account (No. 19-2386) in the amount of \$ 760. for filing fees (see
enclosed copy of transmittal letter). These fees were posted on 8/30/99 by the U.S. Patent and
Trademark Office according to the August 30, 1999 Monthly Statement of Deposit Account
(line item highlighted on attached copy).

LAW OFFICES OF
SKJERVEN, MORRILL,
MacPHERSON, FRANKLIN
& FRIEL LLP

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SAN JOSE, CA 95110
(408) 453-9200
FAX (408) 453-7979

556178 v1

- 1 -

SER. NO. 09/379,167

Applicants note that the official filing receipt indicates that the filing fee received was \$760. (copy of filing receipt enclosed). This is an incorrect amount; the correct filing fee for filing the application is \$380.

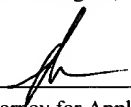
Applicants therefore request a refund in the amount of \$380. (the difference between the actual filing fee of \$380. and the filing fee noted on the filing receipt of \$760).

Applicant(s) submit(s) the enclosed Small Business Concern Declaration by Assignee for filing in the above-cited case.


In view of the enclosed Small Business Declaration, Applicant requests a refund in the amount of \$380. (one-half of filing fee as charged) to Deposit Account No. 19-2386 for the filing fee paid on August 30, 1999. Copies of the transmittal form showing the filing fee and the Deposit Account Statement dated August 31, 1999, showing the paid filing fee are enclosed.

The refund is requested within two months from the filing date in accordance with 37 C.F.R. § 1.28.

If there are any questions regarding this request, please call Applicant's attorney at (408) 453-9200. This request is submitted in duplicate.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on <u>9/29</u> 19 <u>99</u> .	
 _____ Attorney for Applicant(s)	<u>9/29/99</u> _____ Date of Signature

Respectfully submitted,


T. J. Singh
Attorney for Applicant(s)
Reg. No. 43,779

OTHER OFFICES:
AUSTIN, TEXAS
SAN FRANCISCO, CALIFORNIA



LAW OFFICES OF
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San Jose, California 95110
(408) 453-9200

Docket No.: M-7729 US

FACSIMILE: (408) 453-7979

August 23, 1999

Box Patent Application
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D. C. 20231

Enclosed herewith for filing is a patent application, as follows:

Inventor(s): Bruce Eisen; Roger Padayao; Wasef Kassis; James E. Lucas IV
Title: ELECTRONICALLY DISTRIBUTING PROMOTIONAL AND
ADVERTISING MATERIAL BASED UPON CONSUMER INTERNET USAGE

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- 13 Sheet(s) of Drawings
- 24 page(s) Specification
- 17 page(s) Claims
- 2 page Abstract
- 3 page(s) Declaration/Power of Attorney
- 1 page(s) Recordation Cover Sheet (in duplicate)
- 3 page(s) Assignment

CLAIMS AS FILED (fees computed under §1.9(f))

For	Number Filed		Number Extra		Rate		Basic Fee
						\$	760.00
Total Claims	74	-20 =	54	x	\$18	= \$	972.00
Independent Claims	4	-3 =	1	x	\$78	= \$	78.00
<input type="checkbox"/> Application contains one or more multiple dependent claims (\$260 total fee)						\$	1,810.00

Please make the following charges to Deposit Account 19-2386:

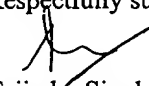
- ☒ Fee for filing the patent application in the amount of \$ 1,810.00
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 19-2386.

A Return Post Card and this sheet in duplicate are enclosed.

EXPRESS MAIL LABEL NO:

EL030411217US

Respectfully submitted,


Tejinder Singh
Attorney for Applicant(s)
Reg. No. 39,535

FILING RECEIPT



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/379,167	08/23/99	2761	\$1,810.00	M-7729-US	13	74	4

TEJINDER SINGH
SKJERVEN MORRILL MACPHERSON
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Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) BRUCE EISEN, LOS ANGELES, CA; ROGER PADAYAO, VAN NUYS, CA; WASEF KASSIS, CANYON COUNTRY, CA; JAMES E. LUCAS IV, MOORPARK, CA.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 09/08/99
TITLE
DISTRIBUTING PROMOTIONAL AND ADVERTISING MATERIAL
BASED UPON INTERNET USAGE

PRELIMINARY CLASS: 705

DATA ENTRY BY: NIMMONS, EVELYN

TEAM: 02 DATE: 09/08/99

(See reverse for new important information)

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "FOREIGN FILING LICENSE GRANTED" followed by a date appears on the reverse side of this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.11. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related application(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR Parts 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "FOREIGN FILING LICENSE GRANTED" DOES NOT appear on the reverse side of this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE ---- The Following Information about the Filing Receipt:

The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.

The words "new," "improved," "improvement," "improvements in or relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement.

The title may be truncated if it consists of more than 4 lines of 70 characters each (letters and spaces combined).

The inventor information may be truncated if the family name consists of more than 25 characters (letters and spaces combined) and if the given name consists of more than 25 characters (letters and spaces combined). The inventor's residence allows for up to 40 characters (letters and spaces combined).

The docket number allows a maximum of 12 characters.

If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

Customer Address may have been modified to conform to U.S. Postal

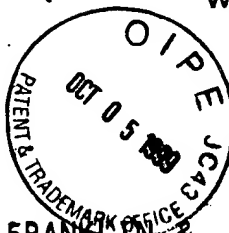
Please direct correction, including a copy of your Filing Receipt, to:
Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

ATTORNEY: ANM/TJS
F. Rpt off
ACTION: Status ON DUE: 8/23/99
ACTION: F. Filing ON DUE: 8/23/99
ACTION: F. Remind ON DUE: 5/23/00
DOCKETED BY: _____ DATE: _____
FORM LETTER: YES/NO
IDS on 11/23/99


UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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**MONTHLY STATEMENT
OF DEPOSIT ACCOUNT**

 To replenish your Deposit Account, detach and
 return top portion with your check. Make check
 payable to Commissioner of Patents & Trademarks.


Account No.	192386
Date	8-31-99
Page	16

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DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
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8	30	99	218	1846523	TM-429i	374	200.00	115472.56
8	30	99	220	75257571	TM-1210I	363	100.00	115372.56
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8	31	99	64	09013956	M-5621 US/DC	126	240.00	112247.56
8	31	99	67	08931896	M-3819-13D U	142	1210.00	111037.56
8	31	99	68	08931896	M-3819-13D U	561	33.00	111004.56
8	31	99	71	08884583	M-3325-1C US	115	110.00	110894.56
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8	31	99	112	08585135	M-3393-US	242	605.00	109046.56

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TOTAL CHARGES

TOTAL CREDITS

CLOSING BALANCE

 AN AMOUNT SUFFICIENT TO
 COVER ALL SERVICES REQUESTED
 MUST ALWAYS BE ON DEPOSIT.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bruce Eisen; Roger Padayao; Wasef Kassiss; James E. Lucas IV
Assignee: User Trends
Title: ELECTRONICALLY DISTRIBUTING PROMOTIONAL AND
ADVERTISING MATERIAL BASED UPON CONSUMER
INTERNET USAGE
Serial No.: 09/379,167
Examiner: UNKNOWN
Docket No.: M-7729 US

Filed: August 23, 1999

Group Art Unit: UNKNOWN

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ASSISTANT COMMISSIONER FOR PATENTS
Washington, D. C. 20231

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(F) & 1.27(C)) -- SMALL BUSINESS CONCERN**

Dear Sir:

I declare that I am an official empowered to act on behalf of the concern identified above as assignee.

Exclusive rights to the above invention as described in

- ☐ the specification filed herewith,
☒ U.S. patent application Serial No. 09/379,167, filed

have been conveyed to and remain with the above concern.

For purposes of paying reduced fees under Section 41 of Title 35 of the United States Code with regard to this invention, I declare that the above concern qualifies as a small business concern as defined in 37 CFR 1.9(d) and 13 CFR 121, and more particularly 13 CFR 121.802, namely, (a) the concern's number of employees, including those of its affiliates, does not exceed 500 persons, and (b) the concern has not assigned, granted, conveyed, or licensed, and is under no obligation to assign, grant, convey, or license, any rights in the invention to any person who made it and could not be classified as an independent inventor under 37 CFR

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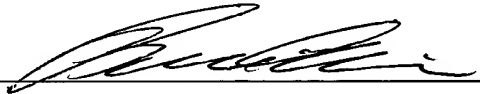
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(408) 453-9200
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1.9(c), or to any concern which would not qualify as a nonprofit organization under 37 CFR 1.9(e) or a small business concern under 37 CFR 121.802.

I acknowledge my duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate per 37 CFR 1.28(b).

I declare that all statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties including fine or imprisonment or both as set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of the application or this document, or the validity or enforceability of any patent, trademark registration, or certificate resulting therefrom.

Signature: _____



Date: _____

9-24-99

Official's Name: _____

Bruce Eisen

Official's Title: _____

President, CEO

Concern's Name: _____

User Trends

Concern's Address: _____

1801 Avenue of the Stars, Ste 929
Los Angeles, California 90067

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MacPHERSON, FRANKLIN
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